

**AFFIDAVIT OF SERVICE**

STATE OF NEW YORK :  
: ss.:  
COUNTY OF NEW YORK :

MARTHA L. BROWN, being duly sworn, deposes and says: deponent is not a party to the action, is over 18 years of age and resides at 80 Pine Street, New York, New York 10005. On November 30, 2007, deponent served the within ANSWER WITH CROSS-CLAIMS, upon:


David L. Mazarolli, Esq.  
Attorney for Plaintiff  
11 Park Place, Suite 1214  
New York, New York 10007

Collins & Feldman  
Attorneys for BNSF Railway Company  
20 Vessey Street, Suite 503  
New York, New York 10007

the address(es) designated by said attorney(s) for that purpose by depositing a true copy of same enclosed in a post-paid properly addressed wrapper, in a post office official depository under the exclusive care and custody of the United States Postal Service within the State of New York.

  
MARTHA L. BROWN

Sworn to before me on the  
30th day of November, 2007

  
NOTARY PUBLIC  
GLORIA J. REGIS HOSEIN  
Notary Public, State of New York  
No. 01RE6065625, Qualified in Kings County  
Certificate Filed in New York County  
Commission Expires October 22, 2009